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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/406,170	09/23/1999	VARADARAJAN SRINIVASAN	02489.P015	1319

7590 07/17/2003

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EXAMINER

BLOUNT, STEVEN

ART UNIT	PAPER NUMBER
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2661

DATE MAILED: 07/17/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

Applicant(s)

09/406,170

Srinivasan



Examiner

Blount

Group Art Unit

2661

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- ☒ Responsive to communication(s) filed on 5/1/03
- ☐ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 65-75 and 88-95 is/are pending in the application.
- Of the above claim(s) 88-95 is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_
- ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- ☒ Notice of Reference(s) Cited, PTO-892
- ☒ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other \_\_\_\_\_

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## **DETAILED ACTION**

### ***Election/Restriction***

1. Applicants election of claims 65 - 75 is acknowledged. Following this election, applicant has added claims 88 - 95 to the application. However, these newly submitted claims are directed to an invention that is independent or distinct from the invention claimed in the application following the election for the following reasons:

Applicant elected method claims 65 - 75, declining the examination of the apparatus.

Accordingly, claims 88 - 95 are withdrawn from consideration as being directed to a non-elected invention. See 37 CAR 1.142(b) and MPEP § 821.03.

### ***Claim Rejections - 35 U.S.C. § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 65 - 75 are rejected under 35 U.S.C. 112 second paragraph for failing to particularly point out and distinctly claim the subject matter which the applicant regards as their invention.

In claim 65, line 9, the phrase "the determined priority number" lacks antecedent basis.

In claim 68, line 9, the phrase "the determined priority number" lacks antecedent basis.

In claim 73, "the matched priority" lacks antecedent basis. Further, to increase clarity of the claim, the examiner suggests inserting some language (like "in order") before the word "to"

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in line 10, since it is hard to determine what is doing the "to access", IE, the first memory does not do it, and providing the location does not *directly* do it.

4. Claims 65 - 75 are currently allowable over the prior art of record.
5. The examiner requests that applicant provide the references which have been lined through on the IDS, as they were not provided with the application.

**Contact Information**

6. Examiner Blount may be contacted at the Patent Office between the hours of 9:00 am to 5:30 P.M. Monday through Friday. His phone number is (703) 305-0319.

  
Ajit Patel  
Examiner

SB



7/10/03